

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

JANICE PACK, Individually and on Behalf of  
All Others Similarly Situated,

Plaintiff,

v.

LUXURBAN HOTELS INC., BRIAN  
FERDINAND, and SHANOOP KOTHARI,

Defendants.

Case No. 1:24-cv-01030-PAE

NOTICE OF MOTION OF ZCAP EQUITY FUND LLC AND ROSS MARCHETTA FOR  
APPOINTMENT AS CO-LEAD PLAINTIFFS AND APPROVAL OF LEAD COUNSEL

**TO: ALL PARTIES AND THEIR COUNSEL OF RECORD**

**PLEASE TAKE NOTICE** that zCap Equity Fund LLC and Ross Marchetta (together, the “Fund and Marchetta”), by and through their counsel, will and do hereby move this Court, pursuant to Section 21D(a)(3) of the Securities Exchange Act of 1934, 15 U.S.C. § 78u-4(a)(3), as amended by the Private Securities Litigation Reform Act of 1995, for an Order: (1) appointing the Fund and Marchetta as Co-Lead Plaintiffs on behalf of a class (the “Class”) consisting of persons and entities that purchased or otherwise acquired LuxUrban Hotels Inc. securities between November 8, 2023 and February 2, 2024, inclusive and (2) approving proposed Co-Lead Plaintiffs’ selection of Pomerantz LLP as Lead Counsel for the Class.

Dated: April 12, 2024

Respectfully submitted,

POMERANTZ LLP

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Ross Marchetta and Proposed Lead Counsel  
for the Class*

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*Additional Counsel for zCap Equity Fund  
LLC and Ross Marchetta*